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U.S. DISTRICT COURT

U.S. DISTRICT COURT

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DISTRICT OF UTAH

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

BY: DIVISION
DEPUTY CLERK

Thomas H. Hackler

(Full Name)

PLAINTIFF

vs.

Gregory Ferbrache

Dale Sessions

DEFENDANTS

CIVIL RIGHTS COMPLAINT

(42 U.S.C §1983, §1985)

Case: 2:14cv00934

Assigned To : Nuffer, David

Assign. Date : 12/30/2014

Description: Hackler v. Ferbrache et al

A. JURISDICTION

1. Jurisdiction is proper in this court according to:

- a. 42 U.S.C. §1983
- b. 42 U.S.C. §1985
- c. Other (Please Specify)

2. NAME OF PLAINTIFF

IS A CITIZEN OF THE STATE OF

Thomas H. Hackler
Utah

PRESENT MAILING ADDRESS:

P.O. Box 550

Gunnison, UT.

3. NAME OF FIRST DEFENDANT Gregory N. Ferbrache
IS A CITIZEN OF Salt Lake City UT.
(City and State)

IS EMPLOYED AS Assit Attorney General /
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

Assit Attorney General, State of Utah.

4. NAME OF SECOND DEFENDANT Dale W. Sessions
(If applicable)

IS A CITIZEN OF Cedar City, Utah
(City and State)

IS EMPLOYED AS Attorney at law at State of Utah
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ☒ NO ☐. If your answer is "YES" briefly explain.

Appointed by Court to Represent Me -

5. NAME OF THIRD DEFENDANT _____
(If applicable)

IS A CITIZEN OF _____
(City and State)

IS EMPLOYED AS _____ at _____
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ___ NO ___. If your answer is "YES" briefly explain.

6. NAME OF FOURTH DEFENDANT _____
(If applicable)

IS A CITIZEN OF _____
(city and State)

IS EMPLOYED AS _____ at _____.
(Position and Title if Any) (Organization)

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ___ NO ___. If your answer is "YES" briefly explain.

(Use additional sheets of paper if necessary.)

B. NATURE OF CASE

1. Why are you bringing this case to court? Please explain the circumstances that led to the problem.

Because of my Sexual Gender, "Gay", the Assit Utah Attorney General, Gregory Ferbrache, along with Court Appointed Counsel, talked me into Pleading Guilty, Stating, "Even tho Pitures where Sent to your Cell Phone, once a Jury Find's out you are Gay, you will be Found Guilty, and, Never get out of Prison, Pled Guilty, and you will get Probaittion, Sence you are not From Utah, and, Never been Charged for this Crime."

C. CAUSE OF ACTION

1. I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

- a. (1) Count I: I was charged by the UT. Attorney Assit General because I'm Gay.
- (2) Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing legal authority or arguments.)
Assit Attorney General; Gregory Ferbrache and, Court Appointed Attorney Dale w. Sessions was "Biased" because I'm Gay, misled me, and, stated, I would be found Guilty, if I Pled not Guilty, because I'm Gay.
- b. (1) Count II: _____
- (2) Supporting Facts: was lied to by Attorney Dale Sessions, stating I would get Probaittion if I Pled Guilty, but, if I Pled not Guilty, and the Jury, because I'm Gay in Utah, would find my Guilty because I'm Gay.
- c. (1) Count III: was "Coherst" by Appointed Counsel Dale Sessions, to Pled Guilty.

(2) Supporting Facts: (A) No Plea agreement was signed.
was sentenced to the VT. State Prison
Even-though was told I would get Probation.

D. INJURY

1. How have you been injured by the actions of the defendant(s)?

mental Injury due to being sent
to Prison, when told I would get
Probation.

E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

1. Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action or otherwise relate to the conditions of your imprisonment?
YES ☐ / NO ☒. If your answer is "YES," describe each lawsuit. (If there is more than one lawsuit, describe additional lawsuits on additional separate pages, using the same outline.)

- a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

- b. Name of court and case or docket number: _____

- c. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____
- d. Issues raised: _____

- e. When did you file the lawsuit? _____
Date Month Year
- f. When was it (will it be) decided? _____
2. Have you previously sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part C? YES ☒ / NO _____. If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was not sought.
Filed Post Conviction to Beaver Co.
Utah, however, have not heard back.

F. REQUEST FOR RELIEF

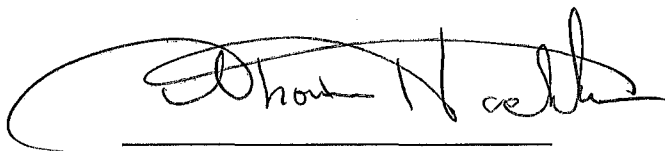
1. I believe that I am entitled to the following relief:

Attorney Dale Sessions loss Utah licenses to
Practice law = Also, Assit AG Ferbrache loss
his licenses, \$20,000.00 From Each defendant,
New hearing in Fifth Dist Court.

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint, and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C §1621.

Executed at Gunnison, UT on 12/23/11 2014
(Location) (Date)

A handwritten signature in black ink, appearing to read "John N. Wells", written over a horizontal line.

Signature